

March 1, 2006

Mr. Speaker:

I return herewith **HCR 39** and **HCR 31** which have passed the Senate.  
WOOD, Secretary

**HCR 39** and **HCR 31** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 55**, **HCR 56**, **HCR 57**, **HCR 58**, **HJM 19**, **H 753**, **H 754**, **H 755**, **H 756**, **H 757**, **H 758**, and **H 759**.

SMITH(24), Vice Chairman

**HCR 55** and **H 753** were referred to the Business Committee.

**HJM 19** was referred to the Agricultural Affairs Committee.

**H 754**, **H 755**, **H 756**, and **H 757** were referred to the Revenue and Taxation Committee.

**H 758** was referred to the Local Government Committee.

**H 759** was referred to the Education Committee.

**HCR 56**, **HCR 57**, and **HCR 58** were filed for second reading.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HJM 16**.

SMITH(24), Vice Chairman

The Speaker announced he was about to sign enrolled **HJM 16**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 28, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **HJM 18** and report it back with amendments attached to be placed on General Orders for consideration.  
BARRACLOUGH, Chairman

**HJM 18** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1299** and recommend that it do pass.

STEVENSON, Chairman

**S 1299** was filed for second reading.

### FIFTY-THIRD LEGISLATIVE DAY THURSDAY, MARCH 2, 2006

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Field(18). Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Ellie Wladyka, Page.

### Approval of Journal

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-second Legislative Day and recommend that same be adopted as corrected.

SMITH(24), Vice Chairman

Mr. Smith(24) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 1, 2006

Mr. Speaker:

I return herewith enrolled **H 413** and **H 434** which have been signed by the President.  
WOOD, Secretary

Enrolled **H 413** and **H 434** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 1, 2006

Mr. Speaker:

I transmit herewith **SJR 107** and **S 1373** which have passed the Senate.

WOOD, Secretary

**SJR 107** and **S 1373** were filed for first reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **H 650** and report it back with amendments attached to be placed on General Orders for consideration.

STEVENSON, Chairman

**H 650** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 646**, **H 652**, **H 655**, **H 722**, and **S 1360** and recommend that they do pass.

BLACK, Chairman

**H 646**, **H 652**, **H 655**, **H 722**, and **S 1360** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 714** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

**H 714** was placed on General Orders for consideration.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1334**, **S 1345**, and **S 1371** and recommend that they do pass.

SCHAEFER, Chairman

**S 1334**, **S 1345**, and **S 1371** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1300**, as amended, **S 1311**, **S 1312**, and **S 1336** and recommend that they do pass.

FIELD(18), Chairman

**S 1300**, as amended, **S 1311**, **S 1312**, and **S 1336** were filed for second reading.

March 1, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **H 709** and report it back with amendments attached to be placed on General Orders for consideration.

FIELD(18), Chairman

**H 709** was placed on General Orders for consideration.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 474** and report it back with amendments attached to be placed on General Orders for consideration.

CROW, Chairman

**H 474** was placed on General Orders for consideration.

March 2, 2006

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 743** and recommend that it do pass.

BARRACLOUGH, Chairman

**H 743** was filed for second reading.

There being no objection, the House advanced to the Twelfth Order of Business.

### Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Martinez. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

### Report of the Committee of the Whole House

March 2, 2006

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 450**, **H 713**, and **H 602** and report them back without recommendation, amended as follows:

### HOUSE AMENDMENT TO H 450

#### AMENDMENT TO SECTION 2

On page 2 of the printed bill, delete lines 7 through 11 and insert: "on the underlying charge in Idaho due to the efforts of the surety, bail agency and/or bail agent within one hundred eighty (180) days after remittance of the forfeiture and upon written application and required notice by the surety or bail agent, the court shall refund and return the entire payment of the remitted forfeited bail to the surety or bail agent, less an

administrative fee retained by the court not to exceed one hundred dollars (\$100). The lawful authority of the bail to arrest the defendant within the state shall continue during the one hundred eighty (180) day remittitur. Nothing herein abrogates the common law authority of the bail to arrest the defendant."

#### HOUSE AMENDMENTS TO H 713

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 37 insert:

"(c) When the offender resides at a state licensed or certified facility for incarceration, health or convalescent care."

##### AMENDMENT TO THE BILL

On page 1, following line 37 insert:

"SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval."

##### CORRECTION TO TITLE

On page 1, in line 6, following "PENALTY" insert: "; AND DECLARING AN EMERGENCY".

#### HOUSE AMENDMENT TO H 602

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, following line 19, insert:

"(3) The project choice fee shall be used, subject to appropriation, exclusively for the purposes of creating a career ladder within the Idaho state police and to provide salaries to encourage the hiring and retention of trained and qualified employees for Idaho state police positions."

##### CORRECTIONS TO TITLE

On page 1, in line 4, delete "AND TO PROVIDE" and insert: ", TO PROVIDE"; and in line 5, following "APPLICATION" insert: "AND TO STATE THE PURPOSES OF THE FEE".

We have also had under consideration **H 677**, report progress and beg leave to sit again.

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

**H 450**, as amended, **H 713**, as amended, and **H 602**, as amended, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**H 677** was retained on General Orders.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Seventh Order of Business.

#### Motions, Memorials, and Resolutions

House of Representatives  
State of Idaho

February 27, 2006

The Honorable Bert Stevenson  
Chairman, Resources and Conservation Committee

Dear Representative Stevenson:

I hereby designate the Resources and Conservation Committee a privileged committee for the purpose of introducing RS 16166 and RS 16183 on Wednesday, March 1, 2006.

Sincerely,  
/s/ BRUCE NEWCOMB  
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

#### HOUSE CONCURRENT RESOLUTION NO. 59 BY RESOURCES AND CONSERVATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING PENDING RULES OF THE DEPARTMENT OF FISH AND GAME GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE OR SALVAGE OF WILDLIFE.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Fish and Game governing the importation, possession, release, sale or salvage of wildlife are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.10, rules of the Department of Fish and Game governing the importation, possession, release, sale or salvage of wildlife, adopted as pending rules under Docket Number 13-0110-0501, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

#### HOUSE CONCURRENT RESOLUTION NO. 60 BY STATE AFFAIRS COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE CONCERNING HUNGER AND FOOD INSECURITY IN IDAHO AND DESIGNATING THE MONTH OF OCTOBER

2006 AS "HUNGER AND FOOD INSECURITY AWARENESS MONTH," COMMENDING EFFORTS TO ADDRESS HUNGER AND FOOD INSECURITY AND ENCOURAGING IDAHOANS TO SUPPORT AND ACTIVELY PARTICIPATE IN THE 2006 IDAHO SUMMIT ON HUNGER AND FOOD SECURITY.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Hunger in America 2006 Idaho Report has documented that hunger and food insecurity are serious problems that affect at least 89,700 Idahoans every year; and

WHEREAS, every Idahoan should have enough to eat and sufficient nutrition to carry out the daily tasks of life and work; and

WHEREAS, the charitable food banking network is playing a Herculean role in responding to hunger and food insecurity in Idaho; and

WHEREAS, Idaho's hunger and food insecurity cannot be solved solely through the efforts of emergency food banks, soup kitchens, and shelters; and

WHEREAS, the Idaho Interfaith Roundtable Against Hunger, representing Idahoans of all faiths, issued a Call to Action on February 23, 2006, seeking support for an Idaho Summit on Hunger and Food Security to be held in the fall of 2006; and

WHEREAS, the Idaho Summit on Hunger and Food Security will bring together concerned Idahoans to examine the problems of hunger and food insecurity in Idaho and to seek solutions to those problems; and

WHEREAS, the Governor's Coordinating Council on Families and Children has called for support for the Idaho Summit on Hunger and Food Security; and

WHEREAS, the food banking and interfaith communities are committed to raising the funds necessary to support the Idaho Summit on Hunger and Food Security to ensure that the Summit will have no budgetary impact for the state.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that October 2006 is designated "Hunger and Food Insecurity Awareness Month," that the efforts of the Idaho Interfaith Roundtable Against Hunger to convene a fall 2006 Idaho Summit on Hunger and Food Security are commended, and encouraging all Idahoans to support and actively participate in the Summit.

**HOUSE JOINT MEMORIAL NO. 20**  
**BY RESOURCES AND CONSERVATION COMMITTEE**  
**A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Federal Lands Recreation Enhancement Act, H.R. 3283, 108th United States Congress, was introduced in the United States House of Representatives and would have authorized the United States Forest Service, the United States Bureau of Land Management, the United States Fish and Wildlife Service, the National Park Service, and the United States Bureau of Reclamation to charge visitor fees for recreation on publicly owned lands; and

WHEREAS, H.R. 3283 was not voted on separately in the United States House of Representatives and was not introduced in, did not have hearings in, and was not approved by the United States Senate, but instead was attached to the omnibus spending bill, H.R. 4818, by the 108th United States Congress, as an appropriation rider; and

WHEREAS, the sponsors of the Federal Lands Recreation Enhancement Act and others have an unrealistic expectation that recreation fees will pay for much of the cost of management of public lands even though users cannot control costs associated with such management, including costs relating to federal mandates and costs associated with subsequent legal actions; and

WHEREAS, the establishment of state or regional recreational resource advisory committees as required under the Federal Lands Recreation Enhancement Act has not occurred; and

WHEREAS, most of the state's 400-plus licensed outfitters and guides require special use permits from federal land management agencies in order to operate legally on Idaho's public lands and waters and the Federal Lands Recreation and Enhancement Act permits the return of the special use permit fee that outfitters pay for the privilege of operating on public lands and waters to the source from which it is generated rather than being deposited into the Federal Treasury; and

WHEREAS, the Idaho outfitter and guide industry is a major component of the outdoor recreation sector of the Idaho tourism industry and the Idaho Legislature recognizes the benefit that the Idaho outfitter and guide industry provides to the public and the economy of the state of Idaho, particularly to the rural economy of the state of Idaho, recognizing that approximately 200,000 visitors use Idaho outfitter and guide services annually and contribute an estimated \$50,000,000 to the Idaho economy.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho declares that should the Federal Lands Recreation Enhancement Act be repealed, then the authority for permitting outfitters and guides on public lands should be replaced immediately to allow for outfitter and guide operations to continue uninterrupted.

BE IT FURTHER RESOLVED, that should the Federal Lands Recreation Enhancement Act be repealed that the outfitter special use fee that is currently assessed shall be reauthorized under a new authority and returned to the managing agency for outfitter permit administration rather than being designated for other uses.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of

the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HCR 59, HCR 60, and HJM 20** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 760**

**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO MOTOR VEHICLE LAW DEFINITIONS; AMENDING SECTION 49-114, IDAHO CODE, TO REVISE THE DEFINITION OF "MOPED."

**HOUSE BILL NO. 761**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO CONTRACTOR LICENSING; AMENDING SECTION 54-1003, IDAHO CODE, TO REQUIRE THAT LICENSE APPLICATIONS FOR ELECTRICAL CONTRACTORS AND SPECIALTY ELECTRICAL CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AMENDING SECTION 54-2606, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM PLUMBING CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET AN AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE; AND AMENDING SECTION 54-5007, IDAHO CODE, TO DELETE LANGUAGE RELATING TO BONDS, TO REQUIRE THAT LICENSE APPLICATIONS FROM HEATING, VENTILATION AND AIR CONDITIONING CONTRACTORS AND SPECIALTY CONTRACTORS BE ACCOMPANIED BY A BOND, TO SET AN AMOUNT FOR THE BOND, TO PROVIDE TERMS AND CONDITIONS, TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF LIABILITY INSURANCE, TO SET THE AMOUNT FOR SUCH INSURANCE AND TO REQUIRE THAT SUCH APPLICATIONS BE ACCOMPANIED BY PROOF OF WORKER'S COMPENSATION INSURANCE, IF APPLICABLE.

**HOUSE BILL NO. 762**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2732B, IDAHO CODE, TO REVISE PENALTIES APPLICABLE TO THE MANUFACTURE, POSSESSION AND OTHER PROHIBITED ACTIONS RELATED TO SPECIFIED AMOUNTS OF PSEUDOEPHEDRINE.

**HOUSE BILL NO. 763**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1401, IDAHO CODE, TO CLARIFY THE PURPOSE AND POLICY OF THE FIRE PROTECTION DISTRICT LAW; AMENDING SECTION 31-1403, IDAHO CODE, TO PROVIDE FOR COSTS OF PUBLICATION AND ELECTION RELATING TO PETITIONS FOR ORGANIZATION OF FIRE DISTRICTS; AMENDING SECTION 31-1405, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PUBLICATION OF NOTICE OF ELECTION; AMENDING SECTION 31-1408, IDAHO CODE, TO REQUIRE OATHS FOR APPOINTED OFFICERS, TO CLARIFY PROVISIONS RELATING TO FIRE PROTECTION BOARD COMPOSITION AND TO PROVIDE FOR OATHS OF FIRE PROTECTION COMMISSIONERS AND APPOINTED OFFICERS; AMENDING SECTION 31-1408A, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1409, IDAHO CODE, TO PROVIDE FOR TERMS OF OFFICE FOR FIRE PROTECTION COMMISSIONERS AND TO PROVIDE FOR THE FILLING OF VACANCIES OF FIRE PROTECTION COMMISSIONERS; AMENDING SECTION 31-1410, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ELECTION OF COMMISSIONERS, TO REVISE PROVISIONS RELATING TO FIRE DISTRICT SUBDISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO PROVIDE FOR THE ANNEXATION OF TERRITORY LOCATED WITHIN AN EXISTING FIRE PROTECTION DISTRICT INTO ANOTHER FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1411A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO PETITIONS OBJECTING TO CONSOLIDATION, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1411B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO ELECTIONS FOR THE CONSOLIDATION OF DISTRICTS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 31-1412, IDAHO CODE, TO PROVIDE ADDITIONAL PROCEDURAL REQUIREMENTS FOR ANNEXATION, TO REVISE PROVISIONS RELATING TO ANNEXATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1413, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE

THAT THE BOARD SHALL ACT ON LISTS OF BILLS PRESENTED BY THE SECRETARY AND TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAWS TO FIRE PROTECTION DISTRICTS; AMENDING SECTION 31-1414, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1415, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND TO REVISE CORPORATE POWERS AND DUTIES OF THE BOARD OF FIRE PROTECTION COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1416A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1417, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1417A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE FOR AND REVISE PROVISIONS RELATING TO THE SALE, CONVEYANCE AND DISPOSITION OF PROPERTY OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1418, IDAHO CODE, RELATING TO FIRE PROTECTION BOARD COMMISSIONER COMPENSATION AND EXPENSES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1421, IDAHO CODE, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR EXPENSES OF FIRE PROTECTION COMMISSIONERS, TO PROVIDE FOR COMPENSATION AND BENEFITS FOR OFFICERS, AGENTS AND EMPLOYEES AND TO PROVIDE FOR LIABILITY OF THE FIRE PROTECTION DISTRICT FOR THE ACTS AND OMISSIONS OF CERTAIN PERSONS; AMENDING SECTION 31-1419A, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1420, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1421, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 31-1422, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1423, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR AND TO REVISE PROVISIONS RELATING TO THE HANDLING OF DISTRICT FUNDS; AMENDING SECTION 31-1424, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1424A, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 31-1425, IDAHO CODE, RELATING TO DUTIES OF FIRE PROTECTION DISTRICT TREASURERS, REPEALING SECTION 31-1426, IDAHO CODE, RELATING TO WARRANTS, REPEALING SECTION 31-1427, IDAHO CODE, RELATING TO WITHDRAWALS FROM FIRE PROTECTION DISTRICTS, REPEALING SECTION 31-1428, IDAHO CODE, RELATING TO HEARINGS OF PETITIONS FOR WITHDRAWAL FROM DISTRICTS AND DISTRIBUTION OF ASSETS AND REPEALING SECTION 31-1430, IDAHO CODE, RELATING TO COOPERATION AND RECIPROCATING USE OF FIRE FIGHTING FORCES AND APPARATUS OF DISTRICTS AND CITIES; AMENDING SECTION 31-1429, IDAHO

CODE, TO REVISE PROVISIONS APPLICABLE TO THE INCLUSION, ANNEXATION OR WITHDRAWAL OF AREAS IN CITIES; AMENDING CHAPTER 14, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-1430, IDAHO CODE, TO PROVIDE FOR THE COOPERATION AND RECIPROCATING USE OF FIREFIGHTING FORCES AND APPARATUS OF DISTRICTS, POLITICAL SUBDIVISIONS AND MUNICIPALITIES AND TO PROVIDE FOR FEES AND LIENS; REPEALING SECTION 31-1430A, IDAHO CODE, RELATING TO COOPERATION BETWEEN FIRE PROTECTION DISTRICTS IN IDAHO AND FIRE PROTECTION DISTRICTS AND MUNICIPALITIES OF OTHER STATES; AMENDING SECTION 31-1430B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO CONTRACTS BETWEEN FIRE PROTECTION DISTRICTS AND INDIVIDUAL PROPERTY OWNERS OUTSIDE OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1431, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 31-1432, IDAHO CODE, RELATING TO THE DEPOSIT OF COSTS AND REPEALING SECTION 31-1433, IDAHO CODE, RELATING TO INTEREST ON UNPAID WARRANTS AND LIMITATIONS ON AMOUNTS OF WARRANTS; AMENDING SECTION 31-1434, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1435, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO THE DISSOLUTION OF FIRE PROTECTION DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-1436, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1437, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-1438, IDAHO CODE, TO REDESIGNATE THE SECTION; AND AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

**H 760, H 761, H 762, and H 763** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**SJR 107**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

**S 1373**, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### Second Reading of Bills and Joint Resolutions

**H 746, H 747, and H 748**, by Appropriations Committee, were read the second time by title and filed for third reading.

**H 724**, by State Affairs Committee, was read the second time by title and filed for third reading.

**S 1383**, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

**S 1348**, by Transportation Committee, was read the second time by title and filed for third reading.

**H 515** and **H 596**, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

**H 664**, **H 613**, as amended, **H 611**, as amended, and **H 565**, as amended, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**S 1260** and **S 1317**, by State Affairs Committee, were read the second time by title and filed for third reading.

**H 698**, by Education Committee, was read the second time by title and filed for third reading.

**S 1316**, by Education Committee, was read the second time by title and filed for third reading.

**H 472**, as amended, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**H 630**, as amended, and **H 634**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

**H 562**, as amended, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 656**, as amended, by Local Government Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

**H 610** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **H 610** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bilbao, Boe, Cannon, Eskridge, Harwood, Jaquet, Kemp, Lake, LeFavour, Martinez, Mitchell, Nielsen, Pasley-Stuart, Pence, Ringo, Rusche, Sayler, Shepherd(2), Smith(30), Smith(24), Stevenson, Trail, Wills, Wood. Total -- 27.

NAYS -- Barraclough, Bastian, Bayer, Bedke, Bell, Black, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(23), Garrett, Hart, Henbest, Henderson, Loertscher, Mathews, McGeachin,

McKague, Miller, Moyle, Nonini, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shepherd(8), Shirley, Skippen, Smylie, Snodgrass, Mr. Speaker. Total -- 41.

Absent and excused -- Block, Field(18). Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 610** failed to pass the House and ordered the bill filed in the Office of the Chief Clerk.

**H 673** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 673** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, McKague, Miller, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Roberts, Rusche, Schaefer, Shepherd(2), Shepherd(8), Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 50.

NAYS -- Bedke, Cannon, Ellsworth, Lake, Loertscher, Mathews, McGeachin, Mitchell, Moyle, Nielsen, Raybould, Rydalch, Sali, Sayler, Shirley, Wills, Wood. Total -- 17.

Absent and excused -- Block, Field(18), Smith(24). Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 673** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 694** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Black to open debate.

The question being, "Shall **H 694** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,

Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Block, Crow, Field(18), Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 694** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 695** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 695** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Black, Crow, Deal, Field(18). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 695** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 686** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 686** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Black, Bolz, Brackett, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henderson, Jaquet, Kemp, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pence, Raybould, Ring, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 54.

NAYS -- Bilbao, Boe, Bradford, Cannon, Deal, Henbest, Lake, Mitchell, Pasley-Stuart, Ringo, Rusche, Smith(30), Mr. Speaker. Total -- 13.

Absent and excused -- Block, Field(18), Roberts. Total -- 3. Total -- 70.

Whereupon the Speaker declared **H 686** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 687** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **H 687** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Bolz, Brackett, Bradford, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 60.

NAYS -- Boe, Cannon, Mitchell, Rusche, Smylie. Total -- 5.

Absent and excused -- Block, Deal, Field(18), Roberts, Snodgrass. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 687** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 545** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark and Mr. Sayler to open debate.

The question being, "Shall **H 545** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2),



Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Harwood. Total -- 1.

Absent and excused -- Block, Crow, Field(18), McGeachin, McKague. Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 545** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that all House bills be placed at the top of the Third Reading Calendar, followed by Senate bills. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, March 3, 2006. Seconded by Mr. Saylor. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:21 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk